



1 CREDIT 1 HOUR LIVE FORMAT

Electronic discovery (e-discovery) is a multi-stage process and custody is an issue at every one of those stages.

Authenticating Digital Evidence – Identify and Avoid Weak Links in Your Chain of Custody

Chain of custody know-how in the digital age

How do you maintain the chain of custody and authenticate your digital evidence? Historically, the evidentiary chain of custody was rarely an issue in civil litigation, but in today's digital age, it has become a major concern. Evidence in civil litigation has undergone a radical transformation from tangible paper to electronic data, a change which has resulted in a new set of requirements for proper collection of the myriad types of electronically stored information (ESI). What are those requirements? How can you avoid the perils and pitfalls in this new and evolving legal environment and successfully present your evidence at trial?

What you will learn

This seminar provides attorneys, general counsel and litigation support staff with an overview of the various collection methods for ESI and what is necessary to maintain the chain of custody through all the stages of the e-discovery process. At the end of this presentation, attendees will have learned the following:

- The various ESI collection methods and how to select the proper method for your case.
- The difference between forensic and non-forensic data collection methods.
- The effective use of “hash value” as an authentication method in non-forensic ESI collection procedures.
- Best practices regarding the handling of ESI and the importance of maintaining a clear and verifiable chain of custody.
- The essential elements for a proper chain of custody log.
- The perils and pitfalls of improper ESI collection and their ultimate impact on the admissibility of evidence.

All CLE seminars are delivered in an educational, completely sales-free format.

Additional resources

Schedule a CLE today. To learn about Merrill's CLE courses and other knowledge resources, go to www.merrillcorp.com/knowledge or contact your Merrill Representative.

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